

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

A LIMITED LIABILITY PARTNERSHIP  
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INTELLECTUAL PROPERTY LAW

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## FACSIMILE TRANSMITTAL SHEET

Deliver To: Compton, Eric B.

Firm Name: U.S. PATENT TRADEMARK OFFICE

Fax Number: 571-273-8300 Telephone No.: 571-272-4527

From: Kevin G. Shao Reg. No.: 45,095

Date: July 27, 2005 Time: 1:43 pm

BSTZ Matter No. 0023227.P021D4 Number of pages including cover sheet: 16

In Re Patent Application of: Marek Zywno

Application No.: 10/782,250

Filed: February 18, 2004

Title: FLUID BEARINGS AND VACUUM CHUCKS AND METHODS FOR PRODUCING SAME

Enclosed are the following documents:

<input type="checkbox"/> Amendment/Response ( 8 pgs)	<input type="checkbox"/> Declaration & P of A ( pgs)	<input type="checkbox"/> Reply Brief ( pgs)
<input type="checkbox"/> Appeal Brief ( pgs) (in triplicate)	<input type="checkbox"/> Drawings: # of sheets w/ figs.	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Utility Application ( pgs)	<input type="checkbox"/> Month Petition re Ext. of Time)	<input type="checkbox"/> Resp. to Notice of Missing Parts ( pgs)
<input type="checkbox"/> 1.53(b) Cont. Application ( pgs)	<input type="checkbox"/> IDS & PTO 1449 ( pgs)	<input type="checkbox"/> Transmittal Letter ( 1 pgs)
<input type="checkbox"/> 1.53(b) Divisional Application ( pgs)	<input type="checkbox"/> Issue Fee Transmittal ( pgs)	<input type="checkbox"/> Fee Transmittal ( 3 pgs) (in duplicate)
<input type="checkbox"/> 1.53(b) CIP Application ( pgs)	<input type="checkbox"/> Notice of Appeal ( pgs)	<input type="checkbox"/> Deposit Account Authorization
<input type="checkbox"/> 1.53(d) RCA Transmittal ( pgs)	<input type="checkbox"/> Petition re ( pgs)	<input type="checkbox"/> Other:
<input type="checkbox"/> PCT Application ( pgs)	<input type="checkbox"/> Power of Attorney ( pgs)	<input type="checkbox"/> Other:
<input type="checkbox"/> Provisional Application ( pgs)	<input type="checkbox"/> Declaration by Inventor(s) ( pgs)	<input type="checkbox"/> Other:
<input type="checkbox"/> Assignment & Cover Sheet ( pgs)	<input type="checkbox"/> Supplemental Declaration ( pgs)	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> X Certificate of Transmission by Fax	<input type="checkbox"/> Preliminary Amendment ( pgs)	<input type="checkbox"/> Other:

### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

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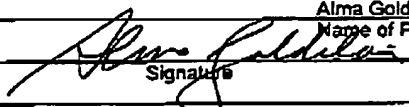
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### CONFIDENTIALITY NOTE

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JUL 27 2005

<b>AMENDMENT TRANSMITTAL</b>		<b>PATENT</b>
<div style="display: flex; justify-content: space-between;"><div>Application No.: <u>10/782,250</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Filing Date: <u>February 18, 2004</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>First Named Inventor: <u>Marek Zywno</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Examiner's Name: <u>Compton, Eric B.</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Art Unit: <u>3728</u></div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>Attorney Docket No.: <u>0023227.P021D4</u></div><div></div></div>		
<div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input checked="" type="checkbox"/> Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Applicant(s) claim small entity status (37 CFR 1.27).</div><div></div></div>		
<b>ATTACHMENTS</b> <div style="margin-top: 5px;"><div><input type="checkbox"/> Preliminary Amendment</div><div><input type="checkbox"/> Amendment/Response with respect to Office Action</div><div><input checked="" type="checkbox"/> Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)</div><div><input type="checkbox"/> Notice of Appeal</div><div><input type="checkbox"/> RCE (Request for Continued Examination)</div><div><input type="checkbox"/> Supplemental Declaration</div><div><input type="checkbox"/> Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)</div><div><input type="checkbox"/> Information Disclosure Statement (IDS)</div><div><input type="checkbox"/> Copies of IDS citations</div><div><input type="checkbox"/> Petition for Extension of Time</div><div><input type="checkbox"/> Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)</div><div><input type="checkbox"/> Cross-Reference to Related Application(s)</div><div><input type="checkbox"/> Certified Copy of Priority Document</div><div><input type="checkbox"/> Other: _____</div><div><input type="checkbox"/> Other: _____</div><div><input type="checkbox"/> Check(s)</div><div><input checked="" type="checkbox"/> Facsimile Cover Sheet (Return Receipt)</div></div>		
<b>SUBMITTED BY:</b> <div style="margin-top: 5px;">BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP</div> <div style="display: flex; justify-content: space-between;"><div>TYPED OR PRINTED NAME:</div><div><u>Kevin G. Shao</u></div></div> <div style="display: flex; justify-content: space-between;"><div>SIGNATURE:</div><div></div></div> <div style="display: flex; justify-content: space-between;"><div>REG. NO.:</div><div><u>45,095</u></div></div> <div style="display: flex; justify-content: space-between;"><div>DATE:</div><div><u>July 27, 2005</u></div></div> <div style="display: flex; justify-content: space-between;"><div>ADDRESS:</div><div><u>12400 Wilshire Boulevard, Seventh Floor</u> <u>Los Angeles, California 90025</u></div></div> <div style="display: flex; justify-content: space-between;"><div>TELEPHONE NO.:</div><div><u>(408) 720-8300</u></div></div>		
<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)</b> <div style="margin-top: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on <u>July 27, 2005</u> Date of Deposit</div> <div style="display: flex; justify-content: space-between;"><div style="width: 40%;"> Signature</div><div style="width: 40%; text-align: center;">Alma Goldchain Name of Person Mailing Correspondence</div><div style="width: 20%; text-align: center;"><u>7/27/05</u> Date</div></div> <div style="margin-top: 5px;">Express Mail Label No. (if applicable): _____</div>		

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/14/03)

**FEE TRANSMITTAL FOR FY 2005**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known:

Application No. 10/782,250  
 Filing Date February 18, 2004  
 First Named Inventor Marek Zywno  
 Examiner Name Compton, Eric B.  
 Art Unit 3726  
 Attorney Docket No. 0023227.P021D4

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
☒ Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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 Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee		
1111	500	2111	250	Utility search fee	1,000/500	
1311	200	2311	100	Utility examination fee		
1012	200	2012	100	Design application filing fee		
1112	100	2112	50	Design search fee	430/215	
1312	130	2312	65	Design examination fee		
1013	200	2013	100	Plant filing fee		
1113	300	2113	150	Plant search fee	660/330	
1313	160	2313	80	Plant examination fee		
1004	300	2004	150	Reissue filing fee		
1114	500	2114	250	Reissue search fee	1,400/700	
1314	600	2314	300	Reissue examination fee		
1005	200	2005	100	Provisional application filing fee		
SUBTOTAL (1)						\$ 0.00

**2. EXCESS CLAIM FEES**

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	<u>17</u> - 20 or HP =		X \$50.00	= \$0.00
HP = highest number of total claims paid for, if greater than 20				
Independent Claims	<u>3</u> - 3 or HP =		X \$200.00	= \$0.00
HP = highest number of independent claims paid for, if greater than 3				
Multiple Dependent Claims				=

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	380	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
	- 100 =	/ 50 =	(round up to whole number) X \$250.00	

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec &amp; drawings except sequences &amp; program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

**FEE CALCULATION (continued)****4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)


Large Entity		Small Entity		Fee Description	
Code	Fee (\$)	Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	600	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$ 0.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Kevin G. ShaoSignature: Date: 7/27/2005Reg. Number: 45,095Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL FOR FY 2005**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 0.00**Complete if Known:**

Application No. 10/782,250  
 Filing Date February 18, 2004  
 First Named Inventor Marek Zywno  
 Examiner Name Compton, Eric B.  
 Art Unit 3726  
 Attorney Docket No. 0023227.P021D4

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
☒ **Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ **The Director is Authorized to do the following with respect to the above-identified Deposit Account:**☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
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**2. EXCESS CLAIM FEES**

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HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims _____			

<u>Large Entity</u>		<u>Small Entity</u>		
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_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X \$250.00	_____

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1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (4) \$ 0.00**

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**SUBMITTED BY:**Typed or Printed Name: Kevin G. ShaoSignature: Date: 7/27/2005Reg. Number: 45,095Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



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JUL 27 2005

Atty. Docket No. 023227.P021D4PATENTAMENDMENT UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3726

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marek Zywno

Application No. 10/782,250

Filed: February 18, 2004

For: FLUID BEARINGS AND VACUUM  
CHUCKS AND METHODS FOR  
PRODUCING SAME

Examiner: Compton, Eric B.

Art Unit: 3726

Confirmation No.: 5000

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. §1.116

Sir:

In response to the Office Action dated June 3, 2005, Applicant respectfully requests that the Examiner enter the following amendments and consider the following remarks.